2; Skreferud M-5 (1870-1871) 1942 AW42 Santal AW42

VIII. CRIME AND ITS PUNISHMENT

a. The councils.

623 We have three kinds of councils: The village, or headman's council, the outside, or over-
634 chief council, and the hunt, or the council of the people of the country. In the village council the village headman is the president; in the outside-council the Pargana is the president, and in the hunt council the hunt-priest is the president. In the headman's council the 'five men' of the village[1] assist the headman in judging. In the Pargana's council the village headmen under the Pargana and the village people of the neighbourhood assist him in judging. In the hunt-council the people of the whole country assist the hunt-priest in judging. The headman is above the village; the Pargana is above a number of villages. There is nothing fixed; they have not the same number of villages, some have many, others have only a small number under them. We have Dṇa Mąñjhis, these are the assistants of the Parganas. From a village headman's judgement they may appeal to the Pargana, and from the Pargana's judgement they may appeal to the people of the country in the burnt forest. From the judgement of the people of the country there is no appeal.

634 The customary perquisites of a Pargana are as follows: From every single village under him he is to get year by year one rupee, half-a-seer clarified butter, and eighty cobs of Indian corn. The Dṇa Mąñjhi gets eight annas, a quarter seer clarified butter, and forty cobs of Indian corn every year in the same villages. When the village headmen under the Pargana pay in to him his perquisites, he gives them a feast, and the Dṇa Mąñjhi also
177 does the same. Nowadays some village headmen do not give the Pargana the rupee, neither
178 does the Pargana give any feast to the village headmen who pay: they let all pass into
622 desuetude, since the Europeans have appeared in the Santal country. Since these have
634 appeared, the Parganas and the village headmen have become utterly greedy; anyone who is able to give them most money, in his favour they judge, and people of this kind they
661 help in the public courts, and poor people who have no money, they do not take any notice of; without cause or reason they scold and browbeat them and cause their suit to be dismissed.

177 The people of the country are not nice either. They do not inform the village headman,
178 neither do they complain to the Pargana, and to the people of the country they do not
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[1] See Dictionary s. v. mąrą̄ hor.

2: Skreferud M-5 (1870-1871) 1942 AW42 Santal AW42

appeal either. Also a quarrel between husband and wife these wretched fools at once bring 177
in before the European magistrates, a crying shame; the deceitful Indian pleaders cheat 178
them of their money a good deal; they get one another into prison; their mutual hatred 691
remains with them smouldering like hot-pan fire; this is what they have gained by trans-
gressing the customary judgements of the ancestors. Let them take the great crimes to
the courts; but what we have from olden times disposed of ourselves, why do they take
heaps of such matter to the courts?

b. Concerning witnesses.

From ancient times up to near the present day we Santals did not know false state- 177
ments; we were stating what we had seen with our eyes, both about enemies and about
our brothers and sisters. After the Europeans have come, a few Santals have been judged 178
to be hanged, because they have spoken the truth. There were no witnesses of their crime; 695
if they had lied and denied it, they would have been set free. In our councils we did not
bring the witnesses in one by one; we put all the witnesses forward at once; still they
did not tell falsehoods. Nowadays they have learnt deceit from the Dekos, and like them
they sell their soul and honour for one brass-cup of beer; and as the magistrates do not
know our language, they cannot distinguish falsehood from truth; they are only led astray
by the words of the deceitful Indians; therefore we do not get just judgments. We would
have any fear of the light swearing in the courts? Let them make them swear like the
oaths of our ancestors, then they would tremble, fearing for their life, and they would
surely not speak falsely. A few magistrates have let a very short oath in our language
be made up by some Dekos; but we only laugh at this oath, because what is said aims
at the one who administers the oath. They make them swear like this: "Speak the truth;
if I speak what is false a tiger spirit will eat thee". The witness repeats this, following
him: "Speak the truth; if I speak what is false, a tiger-spirit will eat thee". Why should
witnesses have any fear from this?

c. The different kinds of crime.

682
Among the great crimes are the following: To kidnap children, to sacrifice them, to kill 684
a person by carelessness, to rob one of his wife, to rape a woman, forcibly to apply sindur
to a woman. Our punishment for this was death. The kidnappers steal children, or catch 682
a person on the road, and sacrifice them. If they were caught at the moment, they killed
them without any judging, and there was no appeal in this case. When some one in-
advertently shot and killed somebody during the hunt, the people passed judgement and
let the person be killed in return. At such a time they let the man who shot and killed
the other, stand where the man was who was shot and killed, and where the man who
shot and killed was, there they let a relative of the shot and killed man stand. If he shoots